

MAY 29, 2002

**SCHAKOWSKY ADDRESSES CONFERENCE ON IMMIGRATION REFORM**

**CHICAGO, IL -- America is a nation of immigrants and I am proud of our diversity. Nowhere is that more evident than here in Chicago and in the neighborhoods of my district. I believe this diversity is an incredible source of strength that will give us a great advantage in leading the world toward a future of peace and mutual respect.**

**Immigration is important legislative issue that directly affects people's lives. It is a priority for millions. Constituents, who are experiencing horrible immigration problems, call and walk into my district offices each day. We are their last hope. Many face deportation and the risk of being separated from their families; some are struggling to reunite with loved ones; and others are still waiting to hear from the INS about their status.**

**It is important that you, the leaders for fair and equitable immigration policies, continue in your valuable work. Our goal is to ensure that we have immigration policies that are balanced with laws that allow our law enforcement agencies to protect our borders from those who wish to harm America, while ensuring expeditious and professional service; laws that do not break up families; and laws that do not put in place impossible or unfair hurdles ahead of tens of thousands of immigrants.**

**Today, I want to focus on three immigration issues, as well as mention a couple other specific legislative measures that are on the front burner. Those three are INS restructuring, benefits restoration for legal immigrants, and the legalization of those currently residing in the U.S. with undocumented status.**

**First, INS restructuring is a priority at this time, especially since the tragic events of 9/11. The INS is a seriously flawed agency, with tremendous backlogs and a history of mismanagement. Therefore, as most of you know, last month the House passed H.R. 3231, the Barbara Jordan Immigration Reform and Accountability Act. While this bill is not perfect, it is a step in the right direction and it contains remedies that are long overdue. This bill would abolish the INS and replace it with an Office of the Associate Attorney General for Immigration Affairs within the Justice Department. The Associate Attorney General would be appointed by the President and confirmed by the Senate, thereby elevating the status of what is now the INS.**

**The bill would also create two separate bureaus, the Bureau of Citizenship and Immigration Services and the Bureau of Immigration Enforcement, each within the Associate Attorney General's office. The Associate Attorney General would oversee and supervise the work of the directors of these two bureaus.**

**The bill further establishes a general counsel within this new immigration office as the**

principal legal advisor of the Associate Attorney General. Finally, the bill establishes an Office of Children's Affairs with a director to coordinate and implement law and policy for unaccompanied immigrant children. This is a very important step. I have worked closely with advocates to ensure that children who reach our borders alone are safe and secure.

As I said, this is a good start. New efforts are underway to encourage the Senate to provide legislation that will address the shortcomings of the House bill. Specifically, I want to make sure that the service and enforcement bureaus are equally served. While it is important that the enforcement bureau be adequately funded, it would be a step in the wrong direction if the service bureau did not also receive the resources it will need to ensure that all immigrants, paying customers, receive the service they are entitled to and deserve.

I am also working on provisions regarding an ombudsman office. It is critical that this office operates independently of the Office of the Associate Attorney General of Immigration Affairs. We must ensure that this office has autonomy and can deliver fairness and impartiality. While the House bill created an Office of the Ombudsman that would assist individuals and employers in resolving problems they encounter, it would still be under the supervision of the Associate Attorney General. This would obviously limit its ability to critique the Office's policies and procedures and serve as a fair advocate. Fortunately, Senator Kennedy's INS reform legislation, which has recently been introduced, creates an Office of the Ombudsman that is still in the Department of Justice, but is independent of the immigration office. I will be working hard to make sure this provision remains in the final version of the INS reform bill that is sent to the White House and implemented into law.

It's also important that the final version of the bill ensure that fees charged for immigration services are reasonable and justified and used to improve the quality of service.

The second issue I want to discuss is benefits restoration. In 1996, Welfare Reform legislation cut off nearly all legal immigrants, especially those who came to this country after August 22, 1996, from access to any safety net programs, including TANF, Food Stamps, Medicaid, and Supplemental Security Income, or SSI.

We finally achieved some success earlier this month when we passed the Farm Bill, which restored Food Stamp benefits to legal permanent residents who have been here for at least five years and to all legal permanent resident children. This legislation was a crucial first step in achieving full benefits restoration.

Unfortunately, two weeks later the House Republicans managed to push through a TANF Reauthorization bill that did absolutely nothing to allow immigrants access to TANF, Medicaid, or SSI. I opposed this legislation. However, our Democratic substitute to this bill, along with other legislative proposals, would have restored access to TANF for all legal residents and would have opened the door to Medicaid to legal immigrant pregnant

women and children. Unfortunately, the Democratic substitute failed on a party-line vote. Of all the issues related to immigration, this one touches on humanity and fairness the most. Even Newt Gingrich has admitted that the language in the 1996 welfare reform bill that denied legal immigrants access to benefits was too harsh.

I have introduced H.R. 3828, the Battered Immigrant Family Relief Act, which would give immigrant women and their children who leave their abusive partners access to benefits that they are currently denied, like TANF, Medicaid, and SSI. It gives these women who are escaping the harshest of conditions, the abuse, a chance to begin anew. This is an issue that will not go away until full benefits restoration is granted, especially to populations, such as abused women and children, who need it the most. I need your help to get that bill passed.

Finally, legalization, or granting legal permanent resident status to those currently residing in the U.S. with an undocumented status, is an issue that I believe we must address immediately.

Before September 11th President Bush was working with President Fox of Mexico to bring about a resolution that addresses 3 million Mexicans currently living in the U.S. Unfortunately, September 11th curbed discussion of even this modest proposal. However, the pressure is now building again to bring millions of undocumented immigrants currently in the U.S. into legal permanent resident status.

While there is currently no comprehensive legislation pending in the House to accomplish this goal, last summer my Democratic colleagues in the House announced a set of principles to guide us as we develop this legislation. For example, any proposal should not be limited to nationals from any one country and will apply to residents who have been here for a long time and have no criminal problems. Legalization is fair and necessary for immigrants who have been here for years working and paying taxes, being good neighbors, serving on school boards, and starting businesses. It's absurd and inhumane to round up these millions of people and deport them.

I also want to bring attention to one particular population who not only deserve, but desperately need, to assume legal permanent resident status; and these are students. Currently, high school graduates who attended American schools but have undocumented immigration status, don't get the benefit of in-state college tuition rates or public financial aid if they want to attend college. This makes it literally impossible for the majority of these students to receive any higher education and continue to build on their success and achievements.

There are a number of bills in the House and Senate that would correct this injustice. For example, Congressman Gutierrez has introduced a bill that I have cosponsored, the Immigrant Children's Educational Advancement and Dropout Prevention Act (H.R. 1582). This bill would allow students under 21 years old, who have been in this country for at least five years, and want to go on to secondary education, to receive legal permanent residency so they can become eligible for these types of financial

assistance.□□□□

In addition to these major issues, there are other measures I want to bring to your attention.□ First, in March, the House passed legislation to extend Section 245(i), which allows undocumented immigrants who are in the U.S. and are otherwise eligible for legal permanent resident status to apply for this status without having to leave the country. This provision is crucial because current law states that if someone has been in this country illegally for at least 6 months and then leaves, they are barred from reentry for up to ten years.□□ Therefore, this extension allows families to stay together as they go through the process of becoming legal permanent residents.□

Second, two weeks ago President Bush signed into law the Enhanced Border Security and Visa Entry Reform Act.□ This bill, unanimously passed by the House and Senate, enacts a number of changes regarding interagency information sharing, the screening of those applying for visas, the tracking of foreign students and visitors, and includes the hiring of more INS investigators.

Finally, Representative Barney Frank introduced a bill that I have cosponsored and been fighting hard to pass, the Family Reunification Act (H.R. 1452).□ This bill would allow legal permanent residents who have been in this country for at least seven years and who have been convicted of a crime for which they served less than five years in prison, and are now deportable, to first have a hearing before a judge to determine whether or not they should be deported.□ The 1996 Immigration Reform laws took away this discretion from an immigration judge to make decisions on a case by case basis as to who should be deported. This bill does not apply to anyone who was sentenced to five or more years in jail for their crime, and it applies after the person has served their time or, often, simply had to pay a fine.□ Again, we're talking about keeping families together and granting people due process before we make the rash and often unreasonable decision to deport them.

Now, of course, all of you, as well as other activists at the grassroots, have a crucial role to play in all this.□ We need your continued involvement and voice in Washington, as well as in local communities - educating people and getting them involved.□ With a unified voice and message, it is possible to influence public policy and make a difference.